

MANDATE

08-2829-cv
Nuraldin v. Colucci

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

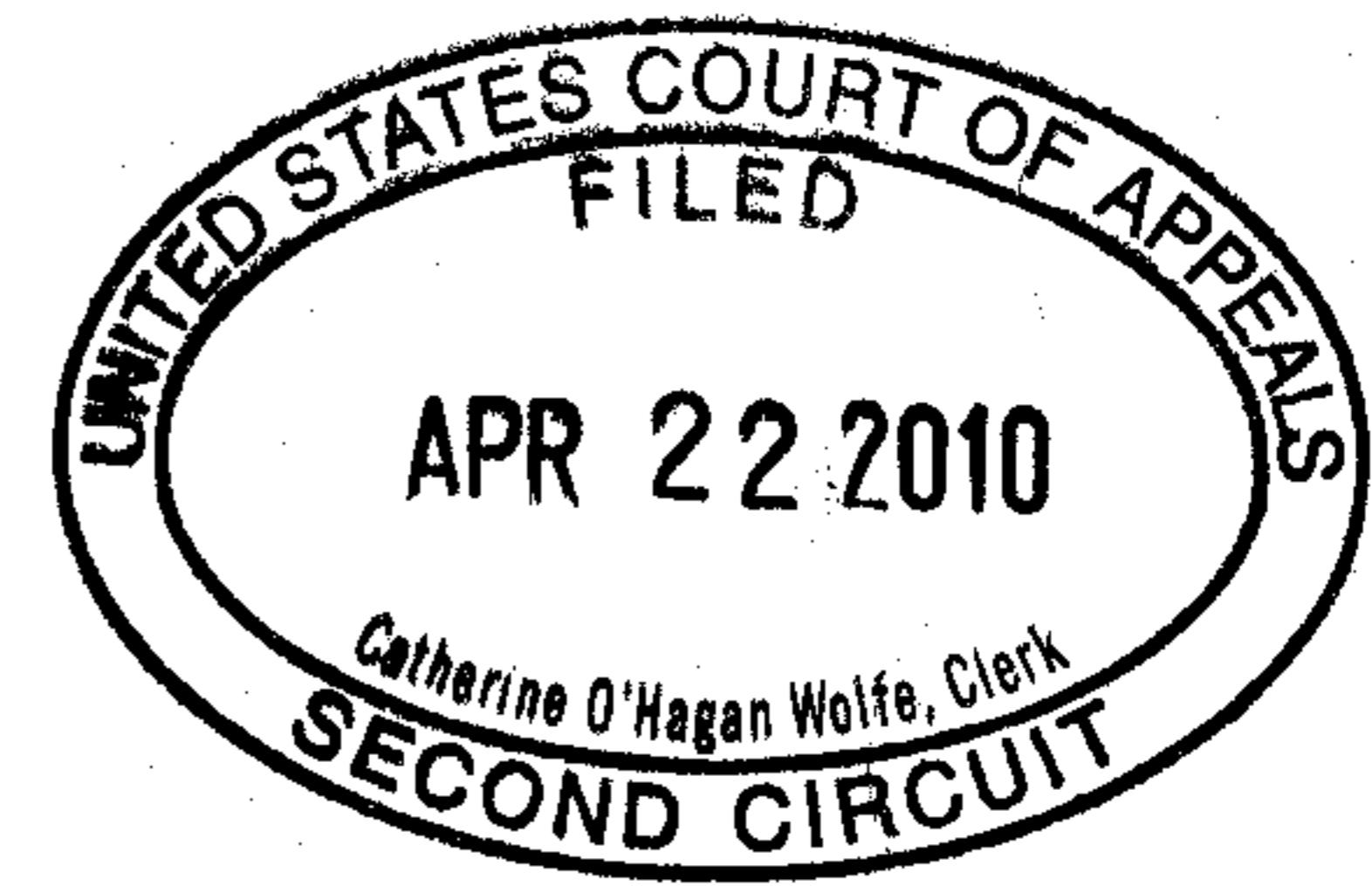
SUMMARY ORDER

RULINGS BY SUMMARY ORDER DO NOT HAVE PRECEDENTIAL EFFECT. CITATION TO A SUMMARY ORDER FILED ON OR AFTER JANUARY 1, 2007, IS PERMITTED AND IS GOVERNED BY FEDERAL RULE OF APPELLATE PROCEDURE 32.1 AND THIS COURT'S LOCAL RULE 32.1.1. WHEN CITING A SUMMARY ORDER IN A DOCUMENT FILED WITH THIS COURT, A PARTY MUST CITE EITHER THE FEDERAL APPENDIX OR AN ELECTRONIC DATABASE (WITH THE NOTATION "SUMMARY ORDER"). A PARTY CITING A SUMMARY ORDER MUST SERVE A COPY OF IT ON ANY PARTY NOT REPRESENTED BY COUNSEL.

**At a stated term of the United States Court of Appeals for the Second Circuit,
held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in
the City of New York, on the 22nd day of April, two thousand ten.**

PRESENT:

AMALYA L. KEARSE,
ROBERT D. SACK,
DEBRA ANN LIVINGSTON,
Circuit Judges.



Yusuf J. Nuraldin, Founder and President of “KALEIDOSCOPE” (“Zebra Team”) on behalf of himself and all other similarly situated Zebra Team member(s)/Associates (1st Amendment Association Rights, with) Anthony Farella Sr., Police Officer & part-time centro employee; Mrs. Felicia A. Townsend,

Plaintiff-Appellant,

v.

08-2829-cv

Robert Colucci Jr., Chairman, Board of Directors, CENTRO, Brian M. Schult, Vice Chairman, Board of Directors, CENTRO, Warren Frank, Former CEO, CENTRO, Joe Calabrese, Former CEO, CENTRO, Frank Kobliski, Former CEO, CENTRO, John Renock, Senior VP of Operations, CENTRO, Joe Degray, VP of Operations, CENTRO, Steve Share, VP of Finance, CENTRO, Richard Lee, VP of Human Resources, CENTRO, Gary Nordheim, Employee Relations Manager, CENTRO, Jackie Musengo, Benefits Manager, CENTRO, Audrey Tucker, Light Duty Coordinator, CENTRO, Leo Williams, Lead Outside Supervisor, CENTRO, Dave Mix, Supervisor, CENTRO, Duke Bailey, Supervisor, CENTRO, Angela Gholston, Supervisor, CENTRO, Darryl Vanderpool, Outside Supervisor, CENTRO, Elizabeth Unislawski, Personal Secretary of Senior VP John Renock, CENTRO, Patty Dishaw, Manager Service Development,

1 CENTRO, Joe Sperato, Dispatch Supervisor, CENTRO, Craig Williams, Former Dir.
 2 of Human Resources, CENTRO, Tom Shallcross, Former Manager of all CENTRO
 3 supervisors, Mike Jablinski, Former Employee Relations Manager, CENTRO, Carl
 4 Baker, Former Employee Relations Manager, CENTRO, Scott Vanderpool, Former
 5 Manager Supervisor, CENTRO, Waverly Faison, Security, CENTRO, Shawn
 6 McManus, Bus Operator, CENTRO, Robert C. Sprague Jr., Former Chief Admin.
 7 Officer, CENTRO, Kathy Fuller, Supervisor of Regional Transportation Center,
 8 CENTRO, Warren Woodruff, Manager RTC, CENTRO, Angelic Mason, Supervisor,
 9 CENTRO, Dave Kriesal, Former Supervisor, CENTRO, Lon Large, Dispatch
 10 Supervisor, CENTRO, Ed Muellar, Former Union VP, Frank Miller, Ferrara, Fiorenza,
 11 Larrison, Barrett & Reitz, P.C., CENTRO's Law Firm, Craig M. Atlas, Ferrara, Fiorenza,
 12 Larrison, Barrett & Reitz, P.C., CENTRO's Law Firm, Ferrara, Fiorenza, Larrison,
 13 Barrett & Reitz, P., CENTRO's Law Firm, Miles Lawlor, Ferrara, Fiorenza, Larrison,
 14 Barrett & Reitz, P.C., CENTRO's Law Firm, Amalgamated Tranit Union, International
 15 and/or Local 580 , Warren George, International Union President, Joseph Welch,
 16 International VP, Chuck Watson, Business Agent, Secretary Treasurer, John Campbell,
 17 Former Union Pres., Dorothy Hunter, Former Union VP, Pres., Mary Neguent, Former
 18 Union Sec., Al Parker, Former Union VP, Bill Montroy, Union Rep., Homer Davis,
 19 Former Trial Committee Investigator, Bonnie Krell, Union Member, Bob Fairchild,
 20 Union Member, Mike Conway, Union Member, Mary Jane Tortorici, Former Union
 21 Board Member, Perry Tarquino, Retired Member, Elliott Rouse, Retired Union
 22 Member, Carlton Derby, Union Member, Tyrone Burke, Former CENTRO Supervisor,
 23 now Union, Scott Hamilton, Union Board Member, Kenneth Orr, Former Union Trial
 24 Committee, Dana McMahon, Union Trial Committee, Bill Miner, Union Trial
 25 Committee, Jeff Keller, Union Trial Committee, Frank Chapman, VP, John Ziembra,
 26 former Union Board Member, Stephanie A. Miner, Blitman & King, Union Local 580's
 27 Lawyers, N.Y. State Workers Compensation Board, Karl A. Henry, NY State Workers
 28 Compensation Board, Scott C. Firestone, NY State Workers Compensation Board, Carol
 29 G. McManus, NY State Workers Compensation Board, Judge Boher, WCB State
 30 Employee, Vanessa E. Jackson, Court Stenographer, Michele Zajac, WCB Admin,
 31 Michael J. O'Brien, WCB Attorney, Attorney Woods, CENTRO's WCB Lawyer,
 32 Attorney Richmond, CENTRO's WCB Lawyer, PERMA, CENTRO's WCB Insurance
 33 Carrier, Jane Mokay, Agent PERMA, RMSCO, CENTRO'S Disability No-Fault
 34 Insurance Carrier, Jane Miles, Agent RMSCO, N.Y. State Unemployment Insurance
 35 Board, Jane Doe-Chairperson NYS, Unemployment Insurance Board, Chairperson NY
 36 State Unemployment Insurance Board, John Doe-Intake Specialist NYS Unempoyment
 37 Insura, Don Livingston, Case Manager Specialist, NY State Unemployment Insurance
 38 Board, Zurich American Insurance Company, John Doe- Chairperson NYS
 39 Unemployment Insurance, Chairperson, NY State Unemployment Insurance Board, Jane
 40 Doe- RMSCO, CEO, RMSCO, John Doe- RMSCO, CEO, RMSCO, Jane Doe-
 41 PERMA, CEO, PERMA, John Doe- PERMA, CEO, PERMA, Jane Doe- Zurich
 42 American Insurance Company, CEO, John Doe- Zurich American Insurance Company,
 43 CEO, Adolfo S. Hernandez, Claims Examiner, Central New York Transportation
 44 Authority, CENTRO Board of Directors, H.J. Hubert, Treasurer, G. Joseph Chalifoux,
 45 Member, Nicholas F. Laino, Member, Vincent A. O'Neil, Member, Darlene D.
 46 Lattimore, Secretary, Deraux L. Branch, Member, Mary Davis, Advisor, State of New
 47 York Unified Court System, Onondaga Supreme Court, Onondaga County Court, Mary

1 Thomason, Deborah Stoltz, Mary Lou Crowley, William R. Roy, Honorable Justice,
2 Matthew E. Bergerton, Attorney, Satter & Andrews, LLP, Ellie Ruston, Former Outside
3 Supervisor,

4
5 *Defendants-Appellees.*
6

7
8 **FOR APPELLANT:** Yusuf J. Nuraldin, *pro se*, Liverpool, New York.
9

10 **FOR APPELLEES:** Miles G. Lawlor; Ferrara, Fiorenza, Larrison, Barrett & Reitz;
11 East Syracuse, New York, for Defendants-Appellees
12 Frank Kobliski, John Renock, Joseph DeGray, Steven Share,
13 and Richard Lee.

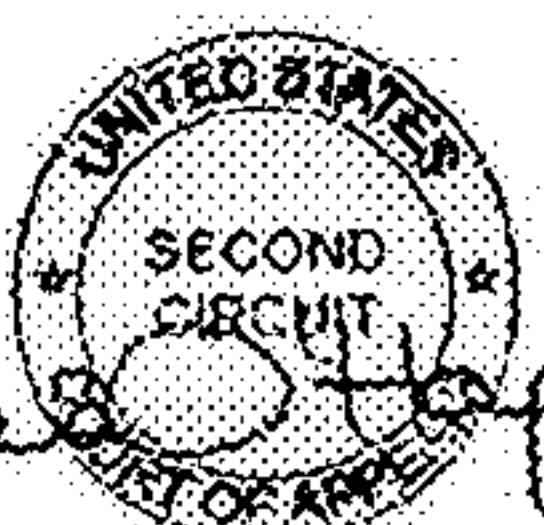
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15 Appeal from the May 22, 2008 post-judgment order of the United States District
16 Court for the Northern District of New York (Hurd, J.).

17 **UPON DUE CONSIDERATION IT IS HEREBY ORDERED, ADJUDGED,**
18 **AND DECREED** that the order of the district court be **AFFIRMED**.

19 Appellant Yusuf J. Nuraldin, *pro se*, appeals from the district court's May 22, 2008
20 post-judgment order denying his motion "to amend or make additional findings" and "for
21 reconsideration of judgment and modification or clarification of" the district court's
22 February 15, 2008 order dismissing his civil rights complaint. We assume the parties'
23 familiarity with the underlying facts, procedural history of the case, and issues on appeal.
24 Upon due consideration of the district court record and the parties' submissions, we find no
25 abuse of discretion in the district court's decision. *See Sequa Corp. v. GBJ Corp.*, 156 F.3d
26 136, 143 (2d Cir. 1998); *Transaero, Inc. v. La Fuerza Aerea Boliviana*, 162 F.3d 724, 729
27 (2d Cir. 1998).

28 For the foregoing reasons, the order of the district court is hereby **AFFIRMED**.
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31

32 **FOR THE COURT:**
A True Copy
Catherine O'Hagan Wolfe, Clerk


Catherine O'Hagan Wolfe

United States Court of Appeals, Clerk
Second Circuit

Catherine O'Hagan Wolfe